6424850/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Allegation of corruption demand and acceptance of bribe against Sri V.Anil Kumar, formerly Proh. & Excise Inspector, Kanigiri, Prakasam District (Retired on 31.05.2010) – Trapped on 28.07.2009 – Prosecution in a Court of Law – Acquitted – filed Criminal Appeal - W.P.No.2247 of 2022 filed before the High Court – Interim orders dt.20.07.2022 of the Hon'ble High Court in W.P.No.2247/2022 – Implemented – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.RT.No.785

Dated:22-09-2022
Read the following:-

1. Govt.Memo.No.33261/Vig.V(1)/2009-4, dt.05.01.2011.
2. G.O.Rt.No.24, Revenue (Vig.IV) Department, dt.05.01.2011.
3. G.O.Rt.No.1386, Revenue (Vig.IV) Department, dt.23.11.2011.
4. G.O.Rt.No.1387, Revenue (Vig.IV) Department, dt.23.11.2011.
5. From the Deputy Commissioner of P&E, Guntur (Inquiry Report), Letter.Rc.No.24/2011/A1, dated:29.09.2012.
6. Judgment dt.13.05.2013 of the Spl. Judge for SPE & ACB Cases, Nellore in C.C.No.11 of 2011.
7. Govt.Memo.No.33261/Vig.V(1)/2009-4, dt.26.09.2013.
8. G.O.Ms.No.221, Revenue (Vig.IV) Department, dt.21.06.2017.
9. Interim orders dt.20.07.2022 of the High Court in W.P.No.2247/2022.
10. From Sri V.Anil Kumar, P&EI (Retd.), Guntur, Representation dt.10.08.2022.

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ORDER:

It was brought to the notice of the Government that a criminal case was registered against Sri V.Anil Kumar, formerly Prohibition & Excise Inspector, Kanigiri, Prakasam District (Retired on 31.05.2010) on the allegation of demand and acceptance of bribe for which he was trapped on 28.07.2009. It was also noticed that he failed to submit Annual Property Returns before the Competent Authorities during his service in violation of Rule 9(7), 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 and also failed to maintain general dairy of Prohibition & Excise Station, Kanigiri uptodate from 17.7.2009 to 28.7.2009 & violats the instructions of Commissioner of Prohibition & Excise, Andhra Pradesh.

2. It was decided to prosecute the said Officer in a Court of Law for allegation of demand and acceptance of bribe. It was also decided to initiate departmental action for his failure to submit APRs and not maintaining General dairy of Prohibition & Excise Station, Kanigiri and accordingly, an inquiry has been held against him under the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

3. The Hon'ble Special Judge for Special Police Establishment & Anti Corruption Bureau Cases, Nellore in its Judgment dt.13.05.2013 in C.C.No.11 of 2011 found that the said accused officer not guilty and acquitted him. After examination of the acquittal Judgment of the trial Court, it was of the opinion that this is a fit case to prefer an appeal in the Hon'ble High Court and accordingly, Criminal Appeal No.949/2013 was filed and it is pending before the Hon'ble High Court.

4. With respect to Departmental Inquiry initiated against the said Officer, it was decided to impose a punishment of 15% cut in pension for a period of two (2) years was imposed against Sri V. Anil Kumar and accordingly in the reference 8th read above, orders were issued imposing punishment of 15% cut in pension for a period of two years against Sri V. Anil Kumar, Prohibition & Excise Inspector (Retd.).

Contd.,2

5. As the matter stood thus, Sri V. Anil Kumar, formerly Prohibition & Excise Inspector, Kanigiri, Prakasam Dist. (Retired on 31.05.2010) in his representation in the reference 10th read above, stated that he has filed a W.P.No.2247/2022 and the Hon'ble High Court in Interim orders dt.20.07.2022 passed the following orders (Operative Portion) and he has therefore, requested to implement the High Court orders and release the balance pension of 25% resulting full pension due to him and Gratuity.

> "In view of the facts and circumstances, there shall be an interim direction to respondents 1 and 2 to release the balance pension, full pension due to the petitioner and gratuity as per rules, as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of a copy of this order."

6. Government, after careful examination of the matter, decided to implement the orders of the Hon'ble High Court and hereby accord sanction to release pension and gratuity, after imposing punishment of 15% cut in monthly pension for a period of two (2) years which was issued in reference 8th read above, subject outcome of criminal Appeal, in compliance with the Interim orders dt.20.07.2022 of the High Court in W.P.No.2247/2022.

7. The Commissioner, Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

To
Sri V.Anil Kumar, formerly Proh. & Excise Inspector, Kanigiri, Prakasam District (Retired on 31.05.2010) through the Commissioner of Prohibition & Excise, Andhra Pradesh.
The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada.

Copy to:
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Accountant General of Andhra Pradesh, Amaravati @ Vijayawada.
The Directorate of Treasuries & Accounts, Andhra Pradesh, Vijayawada.
SF/SC.

//FORWARDED BY ORDER//

R. Vijay Kishore
SECTION OFFICER